

PROPOSED AMENDMENT
SENATE AMENDMENTS TO S.B. 1455
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-102, Arizona Revised Statutes, is amended to
3 read:

4 15-102. Parental involvement in the school; definition

5 A. The governing board, in consultation with parents, teachers and
6 administrators, shall develop and adopt a policy to promote the involvement
7 of parents and guardians of children enrolled in the schools within the
8 school district, including:

9 1. A plan for parent participation in the schools ~~which~~ THAT is
10 designed to improve parent and teacher cooperation in such areas as homework,
11 attendance and discipline.

12 2. Procedures by which parents may learn about the course of study for
13 their children and review learning materials, including the source of any
14 supplemental educational materials.

15 3. Procedures by which parents who object to any learning material or
16 activity on the basis that it is harmful may withdraw their children from the
17 activity or from the class or program in which the material is used.
18 Objection to a learning material or activity on the basis that it is harmful
19 includes objection to a material or activity because it questions beliefs or
20 practices in sex, morality or religion.

21 4. If a school district offers any sex education curricula pursuant to
22 section 15-711 or 15-716 or pursuant to any rules adopted by the state board
23 of education, procedures to prohibit a school district from providing sex
24 education instruction to a pupil unless the pupil's parent provides written
25 permission for the child to participate in the sex education curricula.

1 5. Procedures by which parents will be notified in advance of and
2 given the opportunity to withdraw their children from any instruction or
3 presentations regarding sexuality in courses other than formal sex education
4 curricula.

5 6. Procedures by which parents may learn about the nature and purpose
6 of clubs and activities that are part of the school curriculum,
7 extracurricular clubs and activities that have been approved by the school.

8 7. Procedures by which parents may learn about parental rights and
9 responsibilities under the laws of this state, including the following:

10 (a) The right to opt in to a sex education curriculum if one is
11 provided by the school district.

12 (b) Open enrollment rights pursuant to section 15-816.01.

13 (c) The right to opt out of assignments pursuant to this section.

14 (d) The right to opt out of immunizations pursuant to section 15-873.

15 (e) The promotion requirements prescribed in section 15-701.

16 (f) The minimum course of study and competency requirements for
17 graduation from high school prescribed in section 15-701.01.

18 (g) The right to opt out of instruction on the acquired immune
19 deficiency syndrome pursuant to section 15-716.

20 (h) The right to review test results pursuant to section 15-743.

21 (i) The right to participate in gifted programs pursuant to section
22 15-779.01.

23 (j) The right to access instructional materials pursuant to section
24 15-730.

25 (k) The right to receive a school report card pursuant to section
26 15-746.

27 (l) The attendance requirements prescribed in sections 15-802, 15-803
28 and 15-821.

29 (m) The right to public review of courses of study and textbooks
30 pursuant to section 15-721.

31 (n) The right to be excused from school attendance for religious
32 purposes pursuant to section 15-806.

1 (o) Policies related to parental involvement pursuant to this section.

2 (p) The right to seek membership on school councils pursuant to
3 section 15-351.

4 (q) The right to participate in a parental satisfaction survey
5 pursuant to section 15-353.

6 (r) Information about the student accountability information system as
7 prescribed in section ~~15-1042~~ 15-1041.

8 (s) The right to access the failing schools tutoring fund pursuant to
9 section 15-241.

10 (t) THE RIGHT TO OPT OUT OF THE STATEWIDE ASSESSMENTS PRESCRIBED IN
11 CHAPTER 7, ARTICLE 3 OF THIS TITLE.

12 B. The policy adopted by the governing board pursuant to this section
13 may also include the following components:

14 1. A plan by which parents will be made aware of the district's
15 parental involvement policy and this section, including:

16 (a) Rights under the family educational rights and privacy act of 1974
17 (20 United States Code section 1232g) relating to access to children's
18 official records.

19 (b) The parent's right to inspect the school district policies and
20 curriculum.

21 2. Efforts to encourage the development of parenting skills.

22 3. The communication to parents of techniques designed to assist the
23 child's learning experience in the home.

24 4. Efforts to encourage access to community and support services for
25 children and families.

26 5. The promotion of communication between the school and parents
27 concerning school programs and the academic progress of the parents'
28 children.

29 6. Identifying opportunities for parents to participate in and support
30 classroom instruction at the school.

1 7. Efforts to support, with appropriate training, parents as shared
2 ~~decision-makers~~ DECISION-MAKERS and to encourage membership on school
3 councils.

4 8. The recognition of the diversity of parents and the development of
5 guidelines that promote widespread parental participation and involvement in
6 the school at various levels.

7 9. The development of preparation programs and specialized courses for
8 certificated employees and administrators that promote parental involvement.

9 10. The development of strategies and programmatic structures at
10 schools to encourage and enable parents to participate actively in their
11 children's education.

12 C. The governing board may adopt a policy to provide to parents the
13 information required by this section in an electronic form.

14 D. A parent shall submit a written request for information pursuant to
15 this section during regular business hours to either the school principal at
16 the school site or the superintendent of the school district at the office of
17 the school district. Within ten days of receiving the request for
18 information, the school principal or the superintendent of the school
19 district shall either deliver the requested information to the parent or
20 submit to the parent a written explanation of the reasons for the denial of
21 the requested information. If the request for information is denied or the
22 parent does not receive the requested information within fifteen days after
23 submitting the request for information, the parent may submit a written
24 request for the information to the school district governing board, which
25 shall formally consider the request at the next scheduled public meeting of
26 the governing board if the request can be properly noticed on the agenda. If
27 the request cannot be properly noticed on the agenda, the governing board
28 shall formally consider the request at the next subsequent public meeting of
29 the governing board.

30 E. For the purposes of this section, "parent" means the natural or
31 adoptive parent or legal guardian of a minor child.

32 Sec. 2. Section 15-701, Arizona Revised Statutes, is amended to read:

1 15-701. Common school; promotions; requirements; certificate;
2 supervision of eighth grades by superintendent of high school district; high
3 school admissions; academic credit; definition

4 A. The state board of education shall:

5 1. Prescribe a minimum course of study, as defined in section 15-101
6 and incorporating the academic standards adopted by the state board of
7 education, to be taught in the common schools.

8 2. Prescribe competency requirements for the promotion of pupils from
9 the eighth grade and competency requirements for the promotion of pupils from
10 the third grade incorporating the academic standards in at least the areas of
11 reading, writing, mathematics, science and social studies. Notwithstanding
12 section 15-521, paragraph 4, the competency requirements for the promotion of
13 pupils from the third grade shall include the following:

14 (a) **UNLESS THE PUPIL'S PARENT OPTS OUT OF THE STATEWIDE ASSESSMENTS**
15 **PRESCRIBED IN ARTICLE 3 OF THIS CHAPTER**, a requirement that a pupil not be
16 promoted from the third grade if the pupil obtains a score on the reading
17 portion of the Arizona instrument to measure standards test, or a successor
18 test, that demonstrates that the pupil's reading falls far below the third
19 grade level or the equivalent as established by the board. A pupil may not
20 be retained if data regarding the pupil's performance on the Arizona
21 instrument to measure standards test, or a successor test, is not available
22 before the start of the following academic year. A pupil who is not retained
23 due to the unavailability of test data must receive intervention and remedial
24 strategies pursuant to subdivision (c) of this paragraph if the third grade
25 assessment data subsequently demonstrates that the pupil's reading ability
26 falls far below the third grade level or the equivalent.

27 (b) A mechanism to allow a school district governing board or the
28 governing body of a charter school to promote a pupil from the third grade
29 who obtains a score on the reading portion of the Arizona instrument to
30 measure standards test, or a successor test, that demonstrates that the
31 pupil's reading falls far below the third grade level for any of the
32 following:

1 (i) A good cause exemption if the pupil is an English learner or a
2 limited English proficient student as defined in section 15-751 and has had
3 fewer than two years of English language instruction.

4 (ii) A pupil who is in the process of a special education referral or
5 evaluation for placement in special education ~~or~~, a pupil who has been
6 diagnosed as having a significant reading impairment, including dyslexia, or
7 a pupil who is a child with a disability as defined in section 15-761 if the
8 pupil's individualized education program team and the pupil's parent or
9 guardian agree that promotion is appropriate based on the pupil's
10 individualized education program.

11 (c) Intervention and remedial strategies developed by the state board
12 of education for pupils who are not promoted from the third grade. A school
13 district governing board or the governing body of a charter school shall
14 offer at least one of the intervention and remedial strategies developed by
15 the state board of education. The parent or guardian of a pupil who is not
16 promoted from the third grade and the pupil's teacher and principal may
17 choose the most appropriate intervention and remedial strategies that will be
18 provided to that pupil. The intervention and remedial strategies developed
19 by the state board of education shall include:

20 (i) A requirement that the pupil be assigned to a different teacher
21 for reading instruction.

22 (ii) Summer school reading instruction.

23 (iii) In the next academic year, intensive reading instruction that
24 occurs before, during or after the regular school day, or any combination of
25 before, during and after the regular school day.

26 (iv) Online reading instruction.

27 3. Provide for universal screening of pupils in preschool programs,
28 kindergarten programs and grades one through three that is designed to
29 identify pupils who have reading deficiencies pursuant to section 15-704.

30 4. Develop intervention and remedial strategies pursuant to paragraph
31 2, subdivision (c) of this subsection for pupils in kindergarten programs and

1 grades one through three who are identified as having reading deficiencies
2 pursuant to section 15-704.

3 5. Distribute guidelines for the school districts to follow in
4 prescribing criteria for the promotion of pupils from grade to grade in the
5 common schools. These guidelines shall include recommended procedures for
6 ensuring that the cultural background of a pupil is taken into consideration
7 when criteria for promotion are being applied.

8 B. School districts and charter schools shall provide annual written
9 notification to parents of pupils in kindergarten programs and first, second
10 and third grades that a pupil who obtains a score on the reading portion of
11 the Arizona instrument to measure standards test, or a successor test, that
12 demonstrates the pupil is reading far below the third grade level will not be
13 promoted from the third grade. If the school has determined that the pupil
14 is substantially deficient in reading before the end of grade three, the
15 school district or charter school shall provide to the parent of that pupil a
16 separate written notification of the reading deficiency that includes the
17 following information:

18 1. A description of the current reading services provided to the
19 pupil.

20 2. A description of the available supplemental instructional services
21 and supporting programs that are designed to remediate reading deficiencies.
22 Each school district or charter school shall offer at least one intervention
23 strategy and at least one remedial strategy for pupils with reading
24 deficiencies. The notification shall list the intervention and remedial
25 strategies offered and shall instruct the parent or guardian to choose the
26 strategy that will be implemented for that child.

27 3. Parental strategies to assist the pupil to attain reading
28 proficiency.

29 4. A statement that the pupil will not be promoted from the third
30 grade if the pupil obtains a score on the reading portion of the Arizona
31 instrument to measure standards test, or a successor test, that demonstrates
32 the pupil is reading far below the third grade level, unless the pupil is

1 exempt from mandatory retention in grade three or the pupil qualifies for an
2 exemption pursuant to subsection A of this section.

3 5. A description of the school district or charter school policies on
4 midyear promotion to a higher grade.

5 C. Pursuant to the guidelines that the state board of education
6 distributes, the governing board of a school district shall:

7 1. Prescribe curricula that include the academic standards in the
8 required subject areas pursuant to subsection A, paragraph 1 of this section.

9 2. Prescribe criteria for the promotion of pupils from grade to grade
10 in the common schools in the school district. These criteria shall include
11 accomplishment of the academic standards in at least reading, writing,
12 mathematics, science and social studies, as determined by district
13 assessment. Other criteria may include additional measures of academic
14 achievement and attendance.

15 D. The governing board may prescribe the course of study and
16 competency requirements for promotion that are in addition to or higher than
17 the course of study and competency requirements the state board prescribes.

18 E. A teacher shall determine whether to promote or retain a pupil in
19 grade in a common school as provided in section 15-521, paragraph 4 on the
20 basis of the prescribed criteria. The governing board, if it reviews the
21 decision of a teacher to promote or retain a pupil in grade in a common
22 school as provided in section 15-342, paragraph 11, shall base its decision
23 on the prescribed criteria.

24 F. A governing board may provide and issue certificates of promotion
25 to pupils whom it promotes from the eighth grade of a common school. Such
26 certificates shall be signed by the principal or superintendent of schools.
27 Where there is no principal or superintendent of schools, the certificates
28 shall be signed by the teacher of an eighth grade. The certificates shall
29 admit the holders to any high school in the state.

30 G. Within any high school district or union high school district, the
31 superintendent of the high school district shall supervise the work of the
32 eighth grade of all schools employing no superintendent or principal.

1 H. A school district shall not deny a pupil who is between the ages of
2 sixteen and twenty-one years admission to a high school because the pupil
3 does not hold an eighth grade certificate. Governing boards shall establish
4 procedures for determining the admissibility of pupils who are under sixteen
5 years of age and who do not hold eighth grade certificates.

6 I. The state board of education shall adopt rules to allow common
7 school pupils who can demonstrate competency in a particular academic course
8 or subject to obtain academic credit for the course or subject without
9 enrolling in the course or subject.

10 J. A school district may conduct a ceremony to honor pupils who have
11 been promoted from the eighth grade.

12 K. For the purposes of this section, "dyslexia" means a brain-based
13 learning difference that impairs a person's ability to read and spell, that
14 is independent of intelligence and that typically causes a person to read at
15 levels lower than expected.

16 Sec. 3. Section 15-741, Arizona Revised Statutes, is amended to read:
17 15-741. Assessment of pupils; parental opt out

18 A. The state board of education shall:

19 1. Adopt rules for purposes of this article pursuant to title 41,
20 chapter 6.

21 2. Adopt and implement an Arizona instrument to measure standards test
22 to measure pupil achievement of the state board adopted academic standards in
23 reading, writing and mathematics in at least four grades designated by the
24 board. The board shall determine the manner of implementation. The board
25 may administer assessments of the academic standards in social studies and
26 science, except that a pupil shall not be required to meet or exceed the
27 social studies or science standards measured by the Arizona instrument to
28 measure standards test.

29 3. Ensure that the tests prescribed in this section are uniform
30 throughout the state.

1 4. Ensure that the tests prescribed in this section are able to be
2 scored in an objective manner and that the tests are not intended to advocate
3 any sectarian, partisan or denominational viewpoint.

4 5. Include within its budget all costs pertaining to the tests
5 prescribed in this article. If sufficient monies are appropriated, the state
6 board may provide achievement test services to school districts that request
7 assistance in testing pupils in grades additional to those required by this
8 section.

9 6. Survey teachers, principals and superintendents on ~~achievement~~
10 ~~related~~ ACHIEVEMENT-RELATED nontest indicators, including information on
11 graduation rates by ethnicity and dropout rates by ethnicity for each grade
12 level. Before the survey, the state board of education shall approve at a
13 public meeting the nontest indicators on which data will be collected. In
14 conducting the survey and collecting data, the state board of education shall
15 not violate the provisions of the family educational rights and privacy act
16 (P.L. 93-380), as amended, nor disclose personally identifiable information.

17 7. Establish a fair and consistent method and standard by which test
18 scores from schools in a district may be evaluated taking into consideration
19 demographic data. The board shall establish intervention strategies to
20 assist schools with scores below the acceptable standard. The board shall
21 annually review district and school scores and shall offer assistance to
22 school districts in analyzing data and implementing intervention
23 strategies. The board shall use the adopted test and methods of data
24 evaluation for a period of at least ten years.

25 8. Participate in other assessments that provide national comparisons
26 as needed.

27 B. The achievement tests adopted by the state board as provided in
28 subsection A of this section shall be given at least annually. Nontest
29 indicator data and other information shall be collected at the same time as
30 the collection of achievement test data.

31 C. Local school district governing boards shall:

32 1. Administer the tests prescribed in subsection A of this section.

1 2. Survey teachers, principals and superintendents on achievement
2 related nontest indicator data as required by the state board, including
3 information related to district graduation and dropout rates. In conducting
4 the survey and collecting data, the governing board shall not violate the
5 provisions of the family educational rights and privacy act (P.L. 93-380), as
6 amended, nor disclose personally identifiable information.

7 D. Any additional assessments for high school pupils that are adopted
8 by the state board of education after November 24, 2009 shall be designed to
9 measure college and career readiness of pupils.

10 E. A test for penmanship shall not be required pursuant to this
11 article.

12 F. A PARENT, ON BEHALF OF THAT PARENT'S CHILD, MAY OPT OUT OF THE
13 STATEWIDE ASSESSMENTS THAT ARE PRESCRIBED IN THIS ARTICLE. THE STATE BOARD
14 OF EDUCATION SHALL DEVELOP AND MAKE AVAILABLE A FORM FOR PARENTS TO SIGN AND
15 SUBMIT TO THE SCHOOL PRINCIPAL OR HEAD TEACHER IN ORDER TO OPT THEIR CHILDREN
16 OUT OF THE STATEWIDE ASSESSMENTS PRESCRIBED IN THIS ARTICLE. IF A PARENT
17 OPTS OUT OF THE STATEWIDE ASSESSMENTS:

18 1. THE LACK OF ASSESSMENT RESULTS FOR THAT CHILD MAY NOT BE FACTORED
19 INTO THE SCHOOL OR SCHOOL DISTRICT ACHIEVEMENT PROFILE CLASSIFICATION
20 ASSIGNED PURSUANT TO SECTION 15-241.

21 2. THE LACK OF ASSESSMENT RESULTS FOR THAT CHILD MAY NOT BE FACTORED
22 INTO THE INFORMATION CONTAINED ON THE SCHOOL REPORT CARD DISTRIBUTED PURSUANT
23 TO SECTION 15-746.

24 3. THE LACK OF ASSESSMENT RESULTS FOR THAT CHILD MAY NOT BE FACTORED
25 INTO PERFORMANCE CLASSIFICATIONS ADOPTED PURSUANT TO SECTION 15-203,
26 SUBSECTION A, PARAGRAPH 38 OR PERFORMANCE BASED COMPENSATION SYSTEMS ADOPTED
27 PURSUANT TO SECTION 15-977.

28 4. AND IF THE CHILD IS IN THE THIRD GRADE, THE SCHOOL DISTRICT OR
29 CHARTER SCHOOL SHALL USE AN ALTERNATIVE OTHER THAN A STATEWIDE ASSESSMENT
30 PRESCRIBED IN SECTION 15-701 TO DETERMINE WHETHER THAT PUPIL'S READING
31 ABILITY IS SUFFICIENT TO PROMOTE THAT PUPIL FROM THE THIRD GRADE.

1 5. AND IF THE SCHOOL DISTRICT OR CHARTER SCHOOL REQUIRES A PASSING
2 SCORE ON A STATEWIDE ASSESSMENT AS A REQUIREMENT TO GRADUATE FROM HIGH
3 SCHOOL, THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL USE AN ALTERNATIVE OTHER
4 THAN A STATEWIDE ASSESSMENT TO DETERMINE WHETHER THAT PUPIL HAS SATISFIED
5 THAT PORTION OF THE GRADUATION REQUIREMENTS.

6 G. SUBSECTION F OF THIS SECTION DOES NOT APPLY TO THE CIVICS PORTION
7 OF THE NATURALIZATION TEST PRESCRIBED IN SECTION 15-701.01.”

8 Amend title to conform

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